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REMARKS

Claims 1-35, all the claims pending in the application, stand rejected on prior art grounds. In addition, the specification is objected to. Applicants respectfully traverse these objections/rejections based on the following discussion.

I. The Prior Art Rejections

Claims 1-3, 5-12, 14-18, 20-25, 27-31 and 33-35 stand rejected under 35 U.S.C. §102(e) as being anticipated by Scholl et al. Claims 4, 13, 19, 26, and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Scholl in view of Rogers et al. Applicants respectfully traverse these rejections based on the following discussion.

A. The Rejection Based on Scholl et al.

Applicants respectfully traverse this rejection because Scholl discloses a system that parses the client request into multiple requests where each requested is submitted to a different managed network, while the claimed invention presents a method of processing multiple instances of a server program based on the same request from a single client program. Therefore, it is Applicants' position that Scholl is fundamentally different than the claimed invention and does not describe a similar or equivalent process as in the claimed invention.

The invention generates multiple protocol instances of the request from the single original request sent by the client program. The servers will send back a response to the client program, either indicating an error condition or successful execution, possibly returning some data. These responses are then modified and combined by the multiplexor to correspond to the protocol instance of the client program (e.g., to the same format, version, data structure, etc. of the original request) so that the client program believes it is talking to a single server program in a one-to-one communication environment.

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This is fundamentally different than what is being described in Scholl, because Scholl only directs a portion of any client request to a single server. More specifically, item 25 in Figure 6 illustrates that Scholl merely forwards the portion of the request to the appropriate network management proxy agent. Scholl does not generate protocol instances of the same request, and instead merely sends the portion of the request to the server that will supply the appropriate answer.

More specifically, in column 7, line 58-column 8, line 14, Scholl explains that the request is parsed and translated with a programmable device, or a circuit device, into at least one network management request ("NMR"). The request is analyzed as to whether processing the request requires interaction with a managed network. If not, the request is processed locally; and if so, the request is forwarded to an appropriate network management proxy agent 25. After the forwarding step 25, the network management proxy agent determines whether the information is in the local database. If yes, the information is obtained therefrom; and if not the request is transmitted to a managed network by access protocols. Then network management information transmissions are received in response to each request from a managed network (and may be stored in the local database for future retrieval).

This clearly demonstrates that Scholl does not generate "a plurality of protocol instances of said request using said multiplexor" (independent claims 1, 16, 23, and 30) or modify "said request to create multiple protocol instances of said request" and transfer "said protocol instances of said request to corresponding ones of said instances of said server program" (independent claim 8) as in the claimed invention.

While Scholl states that the request is analyzed as to whether processing the request requires interaction with one or more managed networks, this does not indicate that multiple protocol instances of the same request are transferred to different protocol instances of a server program, as in the claimed invention. To the contrary, the system disclosed in Scholl merely determines which single managed network will contain information that responds to the request (or a portion of the request) and then makes that request (or portion of the request) to that given network. There is no disclosure in Scholl that would teach or suggest to one ordinarily skilled in the art to generate "a plurality of protocol instances of said request" as in the claimed invention. Instead, Scholl merely

requests that each managed network retrieve its portion of the information needed to respond to the request.

Therefore, as shown above, Scholl discloses a system that parses the client request into multiple requests where each requested is submitted to a different managed network, while the claimed invention presents a method of processing multiple protocol instances of a server program based on the same request from a single client program. Therefore, it is Applicants position that Scholl is fundamentally different than the claimed invention. Thus, Applicants submit that Scholl does not teach or suggest "generating a plurality of protocol instances of said request using said multiplexor" (independent claims 1, 16, and 23) or "modifying said request to create multiple protocol instances of said request" and "transferring said protocol instances of said request to corresponding ones of said instances of said server program" (independent claim 8) as in the claimed invention. In view of the foregoing, Applicants submit that independent claims 1, 8, 16, 23, and 30 are not anticipated (or rendered obvious) by Scholl and are patentable. Further, dependent claims 2, 3, 5-7, 9-12, 14, 15, 17, 18, 20-22, 24, 25, 27-31, and 33-35 are similarly patentable, not only by virtue of their dependency from a patentable independent claim, but also by virtue of the additional features of the invention defined. In view the forgoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

B. The Rejection Based on Scholl in view of Rogers

Rogers is referenced for the limited purpose of teaching specific operations that are performed on the response data including listing, adding, subsets, maximums, minimums, and averages. Rogers is not referenced (and does not teach or suggest) the inventive feature of processing multiple protocol instances of a request to different instances of a server program as in the claimed invention (as explained above). Therefore, Rogers does not cure the deficiencies of Scholl discussed above with respect to independent claims 1, 8, 16, 23, and 30 and such independent claims are patentable over any combination of Scholl and Rogers. Thus, it is Applicants position that independent claims 1, 8, 16, 23, and 30 are patentable over the prior art of record.

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Further, dependent claims 4, 13, 19, 26, and 32 are similarly patentable, not only because they depend from a patentable independent claim, but also because of the additional features the dependent claims define. In view the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

II. Formal Matters and Conclusion

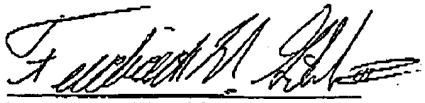
With respect to the objection to the specification, the title has been amended, above, to overcome this objection. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the objection/rejections to the specification and claims.

In view of the foregoing, Applicants submit that claims 1-35, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,



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